

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LABORERS' LOCAL UNION NOS. 472 &
172; LABORERS' LOCAL UNION NOS. 472
& 172 WELFARE AND PENSION FUNDS
AND SAFETY, EDUCATION AND
TRAINING FUNDS; AND ZAZZALI,
FAGELLA, NOWAK, KLEINBAUM &
FRIEDMAN, P.A.,

Petitioners,

v.

WEST BERGEN ENTERPRISES,

Respondent.

Civ. No. 13-0492

OPINION

THOMPSON, U.S.D.J.

This matter has come before the Court on the above-named Petitioners' Motion to Confirm Arbitration Award. (Doc. No. 2). This motion is unopposed by Respondent West Bergen Enterprises ("Respondent"). The Court has decided the matter after consideration of the parties' submissions and without oral argument pursuant to Federal Rule of Civil Procedure 78(b).

Upon review of the submitted materials, the Court finds that Respondent is bound by a collective bargaining agreement ("CBA") with Petitioner Laborers' Local Union Nos. 472 & 172 Benefit Funds ("Funds"). (Doc. No. 1, Pet. to Confirm Arbitration Award, ¶ 2). Under the CBA, controversies concerning delinquent payments to the Funds are to be submitted to arbitration. (Doc. No. 1, Pet. to Confirm Arbitration award, ¶ 3). Respondent was delinquent in making required payments under the CBA. (Doc. No. 1, Ex. B). After due notice to

Respondent, the arbitrator held a hearing on July 25, 2013, and issued a written award dated that same day. (Doc. No. 1, ¶ 4).

Pursuant to 9 U.S.C. § 9, the Court has jurisdiction to enforce the awards of arbitrators. Having considered the written submission of Petitioners, the failure of Respondent to oppose the motion, and for good cause shown, the Court grants Petitioner's Motion to Confirm Arbitration Award, (Doc. No. 2). An appropriate Order accompanies this Opinion.

/s/Anne E. Thompson
ANNE E. THOMPSON, U.S.D.J.

Dated: September 6, 2013